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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,040	02/12/2002	Youichi Hanakawa	1553-017	3014
75	90 06/04/2003			
LOWE HAUPTMAN GOPSTEIN & BERNER, LLP Suite 420 99 Canal Center Plaza ,			EXAMINER	
			DICUS, TAMRA	
Alexandria, VA	22314		ART UNIT	PAPER NUMBER
			1774	
			DATE MAIL ED: 06/04/2002	

Please find below and/or attached an Office communication concerning this application or proceeding.

Jr		T A		
		Application No	Applic	ant(s)
Office Action Summary		10/073,040	HANAH	KAWA, YOUICHI
	Office Action Summary	Examiner	Art Un	t
	The MAILING DATE of the	Tamra L. Dicus	1774	
	• •			
- External e	ORTENED STATUTORY PERIOD FOR REPLY MAILING DATE OF THIS COMMUNICATION. Insions of time may be available under the provisions of 37 CFR 1.13 SIX (6) MONTHS from the mailing date of this communication. In period for reply specified above is less than thirty (30) days, a reply operiod for reply is specified above, the maximum statutory period we are to reply within the set or extended period for reply will, by statute, reply received by the Office later than three months after the mailing and patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, how within the statutory mi vill apply and will expire	ever, may a reply be timely filed nimum of thirty (30) days will be cor SIX (6) MONTHS from the mailing	nsidered timely. date of this communication.
Status	Boons and the second of the se			
1)⊠	Responsive to communication(s) filed on 21 F			
2a)□		s action is non-f		
3)□ Dispositi	Since this application is in condition for allowa closed in accordance with the practice under <i>E</i> on of Claims	nce except for	ormal matters, prosecution 1935 C.D. 11, 453 O.G.	n as to the merits is 213.
4)🖂	Claim(s) <u>1-4</u> is/are pending in the application.	,		
	4a) Of the above claim(s) is/are withdraw	n from consider	ation.	
	Claim(s) is/are allowed.		,	
	Claim(s) 1-4 is/are rejected.		•	
	Claim(s) is/are objected to.		•	
	Claim(s) are subject to restriction and/or	election require	ment	
Application	on Papers	or out of the or	none.	
	The specification is objected to by the Examiner.			
10)∐ T	he drawing(s) filed on is/are: a)☐ accept	ed or b) object	ed to by the Examiner.	
	Applicant may not request that any objection to the	drawing(s) be held	in abevance. See 37 CFF	₹ 1.85(a).
11)∐ T	he proposed drawing correction filed on	is: a)□ approve	d b)☐ disapproved by th	e Examiner.
	If approved, corrected drawings are required in reply	y to this Office act	on.	
	he oath or declaration is objected to by the Exa	miner.		
	nder 35 U.S.C. §§ 119 and 120	•	•	
13)🛛 A	Acknowledgment is made of a claim for foreign	priority under 35	U.S.C. § 119(a)-(d) or (f).
` a)⊠	〗All b)□ Some * c)⊠ None of:			
1	1. Certified copies of the priority documents	have been recei	ved.	
2	2. Certified copies of the priority documents			
3	B. Copies of the certified copies of the priority	v documents hav	A heen received in this N	· National Stage
* Se	ee the attached detailed Office action for a list of	the certified cop	7.2(a)). Dies not received.	
14)L_I AC	knowledgment is made of a claim for domestic	priority under 35	U.S.C. § 119(e) (to a pro	visional application
13/LJ AC	The translation of the foreign language provi eknowledgment is made of a claim for domestic	sional applicatio priority under:35	n has been received. U.S.C. §§ 120 and/or 12	21.
\ttachment(s	5)			
2) 🔲 Notice o	of References Cited (PTO-892) of Draftsperson's Patent Drawing Review (PTO-948) tion Disclosure Statement(s) (PTO-1449) Paper No(s)		nterview Summary (PTO-413) Notice of Informal Patent Applic Other:	Paper No(s) ation (PTO-152)
Patent and Trade O-326 (Rev.	emark Office			
(1/64.	Office Actio	n Summary	Part of Pa	per No. 4

Application/Control Number: 10/073,040 Page 2

Art Unit: 1774

DETAILED ACTION

Claim Objections

1. Claim 1 recites the limitations "the sheet piece" and "the paper leaf". There is insufficient antecedent basis for these limitations in the claims.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

 (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 3. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by USPN 4,543,139 to Freedman et al.
- 4. Freedman teaches a releasable closure (equivalent to sticker) for application to bags and containers. Figure 1A teaches two adhesives and a release liner of paper to be attached to bags and containers. See also col. 3, lines 1-15 and col. 5, lines 20-30.
- 5. Claims 1 and 3 are rejected under 35 U.S.C. 102(e) as being anticipated by USPN 6,503,620 to Xie et al.
- 6. Xie teaches various multilayer composite PSA constructions. Figure 3 describes two second adhesives (first and second adhesive layer on one end and on the other end) and a composite adhesive in between the two adhesives (an adhesive layer between first and second-

Art Unit: 1774

claim 3). There is an additional facestock of paper (paper leaf) adjacent to one of the second adhesives. A release liner is adjacent to the other second adhesive for removal of the label (functional equivalent of sticker). See also col. 1, lines 25-40 and col. 16, lines 22-59.

Claim Rejections - 35 USC § 103

- 7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 8. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,503,620 to Xie et al.

Xie essentially teaches the claimed invention. Xie does not specifically disclose the width requirements (1/5 or more and 15 mm or more) of the second adhesive layer as recited in instant claims 2 and 4. However Xie teaches at col. 17, lines 45-58 adjusting adhesive layer geometries are dependent upon process conditions such as coating gaps of the die and also web speed. Hence it would have been obvious to one of ordinary skill in the art to modify the distance between the layers since it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. *In re Boesch*, 617 F.2d 272. The gap of the die and web speed effect the distance between adhesive layers, including the second adhesive layer.

Art Unit: 1774

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. USPN 5,593,759 to Vargas et al. teaches a pressure-sensitive structural adhesive with two adhesive layers. USPN 5,718,958 to Scholz et al. teaches a repulpable PSA construction having multiple layers.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamra L. Dicus whose telephone number is (703) 305-3809. The examiner can normally be reached on Monday-Friday, 7:00-4:30 p.m., alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly can be reached on (703) 308-0449. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-8329 for regular communications and (703) 872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

Tamra L. Dicus Examiner Art Unit 1774

May 30, 2003

Cythi Kel

Page 4